

LAWRENCE W. RADER
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SOUL CIRCUS, INC.,

Plaintiff,

Case No. 07 CV10597 (LAK)

-against-

DECLARATION

TREVANNA ENTERTAINMENT, LLC and
THE APOLLO THEATER FOUNDATION, INC.,

Defendants.

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LAWRENCE W. RADER declares the following as true under penalty of perjury,
pursuant to 28 U.S.C. § 1746:

1. I am the attorney for defendant Trevanna Entertainment, LLC (“Trevanna”) and submit this declaration in opposition to plaintiff’s motion to dismiss its complaint without prejudice. In order not to burden the Court unnecessarily by submitting its own papers making essentially the same arguments, defendant Trevanna adopts the arguments of co-defendant The Apollo Theater Foundation Inc. as set forth in its memorandum of law, and respectfully requests that the plaintiff’s motion be denied, and that the action be dismissed with prejudice.

Dated: New York, New York
March 21, 2008

/S/

LAWRENCE. W. RADER